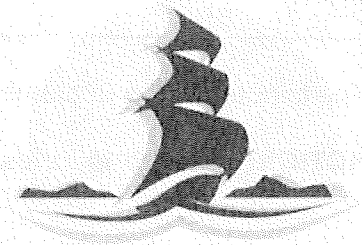


VENTURA PORT DISTRICT

BOARD OF PORT COMMISSIONERS MINUTES OF OCTOBER 10, 2018



VENTURA
PORT DISTRICT
Established 1952

The Regular Meeting of the Ventura Board of Port Commissioners was called to order by Chairman Everard Ashworth at 7:07PM at the Ventura Port District Administration Office, 1603 Anchors Way Drive, Ventura, CA 93001.

Commissioners Present:

Everard Ashworth, Chairman
Jim Friedman, Secretary
Jean Getchell

Commissioners Absent:

Chris Stephens
Brian Brennan, Vice Chairman

Port District Staff:

Oscar Peña, General Manager
Brian Pendleton, Deputy General Manager
John Higgins, Harbormaster
Jessica Rauch, Clerk of the Board

Legal Counsel:

Timothy Gosney
Dominic Nunneri

AGENDA

CALL TO ORDER: By Chairman Everard Ashworth at 7:07PM.

PLEDGE OF ALLEGIANCE: By Commissioner Getchell.

ROLL CALL: Commissioners Stephens and Brennan were absent.

ADOPTION OF AGENDA

ACTON: Commissioner Getchell moved, seconded by Commissioner Friedman and carried by a vote of 3-0 to adopt the October 10, 2018 agenda.

APPROVAL OF MINUTES

The Minutes of the September 26, 2018 Regular Meeting were considered as follows:

ACTION: Commissioner Friedman moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to approve the minutes of the September 26, 2018 Regular Meeting.

The Minutes of the September 12, 2018 Regular Meeting were considered as follows:

ACTION: The Minutes of the September 12, 2018 Regular Meeting were continued to the next meeting for approval due to not having a quorum for approval.

PUBLIC COMMUNICATIONS: None.

CLOSED SESSION REPORT: Mr. Gosney stated that the Board met in closed session; discussed and reviewed all items on the closed session agenda. Staff was given instructions on how to proceed as appropriate and there was no action taken that is reportable under The Brown Act.

BOARD COMMUNICATIONS: Commissioner Ashworth reported that he attended a conference at the Aquarium of the Pacific in Long Beach where he spoke about the VSE project.

STAFF COMMUNICATIONS: Mr. Peña reported on the previous weekend's events in Harbor Village.

LEGAL COUNSEL REPORT: Mr. Gosney reported on a new case, *San Diego Unified Port District v. California Coastal Commission (Sunroad Marina Partners, LP)*, which is particularly relevant for the development of Parcels 5 and 8. The Coastal Commission denied an application from the San Diego Unified Port District to amend the port master plan. The San Diego Unified Port District was seeking to amend its local coastal plan to enable Sunroad Marina Partners LP to build a new hotel. The Coastal Commission denied the application, saying among other things, that there was an inadequate affording housing element to support the project (the court used the example of a hostel). The San Diego Unified Port District challenged the Coastal Commission's decision in court, and the court upheld the Coastal Commission's decision.

STANDARD AGENDA:

1) Approval of Fifth Amendment to Professional Services Agreement with Dudek

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the Fifth Amendment to Professional Services Agreement with Dudek in the amount of \$45,000 for professional services for the Ventura Shellfish Enterprise (VSE) project.

ACTION: Commissioner Friedman moved, seconded by Commissioner Getchell and carried by a vote of 3-0 to approve the Fifth Amendment to Professional Services Agreement with Dudek in the amount of \$45,000 for professional services for the Ventura Shellfish Enterprise (VSE) project.

2) Approval of Fourth Amendment to Professional Services Agreement with Plauché & Carr, LLP

Recommended Action: Voice Vote.

That the Board of Port Commissioners approve the Fourth Amendment to Professional Services Agreement with Plauché & Carr, LLP in the amount of \$34,000 for professional legal services for the Ventura Shellfish Enterprise (VSE) project.

ACTION: Commissioner Getchell moved, seconded by Commissioner Friedman and carried by a vote of 3-0 to approve the Fourth Amendment to Professional

Services Agreement with Plauché & Carr, LLP in the amount of \$34,000 for professional legal services for the Ventura Shellfish Enterprise (VSE) project.

3) Modifications to the Ventura Port District Human Resources Manual

Recommended Action: Roll Call Vote.

That the Board of Port Commissioners adopt Resolution No. 3362 modifying the Human Resources Manual to add two new full-time employee incentive programs: an educational incentive program and a bilingual incentive program.

ACTION: Commissioner Getchell moved, seconded by Commissioner Friedman and carried by a vote of 3-0 to adopt Resolution No. 3362 modifying the Human Resources Manual to add two new full-time employee incentive programs: an educational incentive program and a bilingual incentive program.

4) Approval of Southern California Gas Company Grant of Easement for Portside Partners Ventura Harbor, LLC

Recommended Action: Voice Vote.

That the Board of Port Commissioners authorize the General Manager to sign and notarize a Grant of Easement to Southern California Gas Company, and its successors and assigns, for a permanent non-exclusive easement to construct, use, maintain, and operate one or more pipelines, conduits and appurtenances thereto for the transportation and distribution of natural gas and communications, together with reasonable right of ingress and egress as necessary to access the Easement and the right to use Grantor's abutting property during construction and maintenance thereof, said Easement being granted in the strip of land located in the City of Ventura in the County of Ventura, California, that real property described as Parcels 15, 16, and 18 in the Ventura Harbor.

ACTION: Commissioner Getchell moved, seconded by Commissioner Friedman and carried by a vote of 3-0 to authorize the General Manager to sign and notarize a Grant of Easement to Southern California Gas Company, and its successors and assigns, for a permanent non-exclusive easement to construct, use, maintain, and operate one or more pipelines, conduits and appurtenances thereto for the transportation and distribution of natural gas and communications, together with reasonable right of ingress and egress as necessary to access the Easement and the right to use Grantor's abutting property during construction and maintenance thereof, said Easement being granted in the strip of land located in the City of Ventura in the County of Ventura, California, that real property described as Parcels 15, 16, and 18 in the Ventura Harbor.

Note: As a requirement of the FPPC Rules, Commissioner Friedman disclosed that he received a campaign donation from Michael Sondermann.

AGENDA PLANNING GUIDE AND REQUEST FOR FUTURE AGENDA ITEMS: None.

ADJOURNMENT: The meeting was adjourned at 7:25PM.

Secretary



